THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.25430 of 1998

Date: 04.04.2007

Between:

Katuri Swarnalatha and others.

....Petitioners

And

The Mandal Revenue Officer and another.

....Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.25430 of 1998

O R D E R:

Petitioners claim to be the assignees of various extents of land in different Survey Numbers of Sanarudravaram Village of Kalidindi Mandal, Krishna District. They state that they have developed the land and enjoyed possession thereof, ever since the date of assignment. Reference is made to initiation of proceedings under Section 144 of Cr.P.C., by the Executive Magistrate, in the years 1994 and 1997. It is urged that the proceedings lapsed and despite the same, the respondents are trying to interfere with their possession and the petitioners seek appropriate directions, in this regard.

Though nine years have elapsed, ever since the writ petition was filed, the respondents have not filed any counter affidavit.

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue.

The petitioners have filed copies of the proceedings initiated under Section 144 of Cr.P.C., on two occasions,

by the Executive Magistrate. The petitioners were shown as parties to the said proceedings. Assuming that there existed some squabble for possession over the land, with the lapse of the said proceedings, any restriction on the rights of the petitioners ceases. This Court granted interim order on 18.12.1998 and it is operating even as of now. In case, the respondents are of the view that the petitioners have violated the conditions of assignment, they have to initiate necessary proceedings in accordance with law. The rights of the petitioners cannot be defeated, as long as their assignments are in force.

For the foregoing reasons, the Writ Petition is disposed of, directing that the respondents shall not interfere with the rights of the petitioners over the land assigned to them, except by initiating proceedings, in accordance with law. There shall be no order as to costs.

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04.04.2007

JSU